



Docket No.: 025444.1059-US02  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Wing-Kee P. Cho

Application No.: 10/699,987

Art Unit: 1615

Filed: November 3, 2003

Examiner: H. N. Sheikh

For: EXTENDED RELEASE ORAL DOSAGE  
COMPOSITION

**SECOND PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

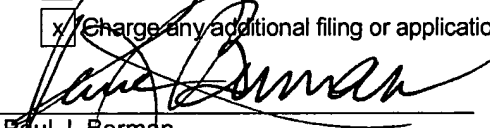
05/01/2006 JADD01 00000098 500740 10699987

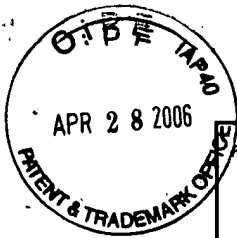
01 FC:1201 2600.00 DA  
02 FC:1202 2700.00 DA

**Remarks/Arguments** begin on page 17 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and



<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. 025444.1059-US02	
Application No. 10/699,987		Filing Date November 3, 2003		Examiner H. N. Sheikh	
				Art Unit 1615	
Applicant(s): Wing-Kee P. Cho					
Invention: EXTENDED RELEASE ORAL DOSAGE COMPOSITION					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	79	- 25 =	54	x 50.00	2,700.00
Independent Claims	18	- 5 =	13	x 200.00	2,600.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>5,300.00</b>
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>50-0740</u> in the amount of \$ <u>5,300.00</u> . A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>50-0740</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Paul J. Berman Attorney/Agent Reg. No.: 36,744				Dated: <u>April 28, 2006</u>	
COVINGTON & BURLING 1201 Pennsylvania Avenue, N.W. Washington, DC 20004-2401 (202) 662-6000					



<b>FEE TRANSMITTAL</b> <b>For FY 2006</b>		<b>Complete if Known</b>	
		Application Number	10/699,987
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	November 3, 2003
		First Named Inventor	Wing-Kee P. Cho
		Examiner Name	H. N. Sheikh
		Art Unit	1615
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 5,300.00	Attorney Docket No.	025444.1059-US02

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-0740 Deposit Account Name: Covington & Burling

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** 79 - 25 = 54 x 50.00 = 2,700.00

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** 18 - 5 = 13 x 200.00 = 2,600.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)

- 100 = /50 (round up to a whole number) x =

**4. OTHER FEE(S)**

Non-English Specification: \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	36,744
Name (Print/Type)	Paul J. Berman	Telephone	(202) 662-6000
		Date	April 28, 2006

Application No.: 10/699,987

2

Docket No.: 025444.1059-US02

any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.